G. R. S. App. F. IX-4]

1943 -

File No. 20-43

Serial Nos. 3-4.

Previous References.

Prisons)

PRESERVED

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Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Two only.

Part B for November 1943.

SUBJECT.

Prison Reports Recommendations as

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47 Genl/ 32020 — d. 8-11-43
To the — I.G. of Prisons

Passes orders regarding the employment of Habituals as Convict officers

Prison Reforms - Recommendation No. 358.

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Continuation Sheet. File No. 312 of
Current No. 8
Page:

In Paragraphs 81 - 88 of Chapter XIV the Report of the Prison Reforms Committee deals with the employment ~~of~~ of convicts ~~as~~ officers. The recommendation of the Committee are as follows:-

I
The I.G.P. says that Convict Warders in the Central Jail keep watch during nights outside the barracks, but within the enclosure provided by palisades, the outer enclosure being patrolled by armed sentries. This system has been working satisfactorily & it may continue.
1-11-33

1. The Committee state that Convict Officers should be used to assist and supplement, not to replace the paid staff, and that the system prevailing in Mysore ~~of~~ of utilising the services of well-conducted prisoners as officers has worked well and should be continued under suitable restrictions and conditions, for it encourages good behaviour, rewards faithful work, is helpful in putting down disorder and thus ~~the~~ to some extent conduce to economy. The Committee, however, observe that the employment of Convict Warders outside the barracks for guarding prisoners at night is open to objection, and recommend that it should be discontinued and that no Convict Officer should in fact be outside his ~~barracks~~ barrack at night. The Committee propose that paid Warders should be appointed for night patrol work, even if this should entail the entertainment of an additional staff, which may not extend to more than one paid Warder for every barrack of about 20 prisoners. The Inspector General of Prison states that Convict Warders in the Central Jail at Bangalore are employed to keep watch during nights outside the barracks but within the enclosure provided by palisades the outer enclosure being patrolled by armed sentries. He suggests that this practice which is in vogue in some of the British Indian Jails may be continued here also.

The Indian Jails Committee of 1919 and 20 in paragraph 86 of their Report also considered it to be very essential that no Convict Officer should be allowed to be outside his barrack at night, and they suggest that early steps should be taken to provide such a force of paid Warders as would enable the use of Convict Officers outside the barracks at night to be entirely dispensed with.

The Inspect General of Prisons has not given any reason as to why the present system of employing Convict Officers on night patrol work outside the barracks should be continued, in the face of the opinion of both the Indian Jails Committee and our own Prison Reforms Committee. He will be asked if approved to intimate why he considers it necessary to continue the existing system and what the extra cost is likely to be if the recommendation of the Committee is given effect to.

2. Following in the foot-steps of the Indian Jails Committee, the Prison Reforms Committee recommend that no Convict Officer should have independent charge of any file, gang or other body of prisoners or should have independent power to issue orders to prisoners, but that there should always be a paid Officer in superior charge under whose control and orders the Convict Officer should work. The Committee further suggest that Convict Officials drawn from the class of casual offenders should not be employed in a Jail or part of a Jail reserved for habitual offenders, and that no habitual should be employed as a night watchman in any non-habitual barrack~~s~~. The Inspector

The Madras Rule 73 A/8 may be modified as recommended by the I.G.P.
[illegible]
1-11-43

General of Prisons observes in respect of this part of the recommendation that Rule 334 (a) of the Madras Jail Manual which lays down definite instructions in this connection may be incorporated in the Mysore Jail Manual.

This Rule which gives full effect to the recommendation of the Indian Jail Committee reads as follows:-

334-A. (1) The maximum number of convict officers in a jail shall in no case exceed 10 percent of the daily average population thereof.

(2) No convict officer shall have independent charge of any file, gang or other body of prisoners, nor shall he have independent power to issue orders to prisoners, but there shall always be a paid officer in superior charge under whose control and orders the convict officer shall work.

PROVIDED that within the main walls of the jail a a reliable convict officer may temporarily be entrusted with the charge of a gang employed on fatigue duty, or of a convalescent gang or a small gang of scavengers, of water carriers or compound sweepers.

(3) Convict officers required for employment in yards or barracks reserved for prisoners sentenced to simple imprisonment shall, as far as possible, be drawn from the ranks of simple imprisonment prisoners.

(4) Except in the case of a non-habitual prisoner, first offender of means and status who has been sentenced to imprisonment for a serious crime against ~~the~~ person committed in a passion and who but for this lapse is a respectable member of society, and who is likely through

Continuation Sheet. File No. / Current No. of Page.

his position of responsibility over habituals not to be contaminated, no non-habitual prisoner/first offender shall be employed as a convict officer in charge of habitual prisoners.

(5) Habitual prisoners may be employed as convict officers only in jails set apart for habitual prisoners, and shall not be employed as convict overseer or convict warders without the special sanction of the Inspector-General of Prisons. Such Convict Officers shall be eligible for the same privileges as other convict officers.

(6) Paid warders only shall be in charge of habitual prisoner gangs and workshops.

(7) Convict officers of all grades shall be exempt from liability to wear fetters.

The Inspector General of Prison's recommendation may be accepted and the above Rule incorporated in our Manual.

3. The Committee next suggest that Convict Officers should have separate quarters cut off from the other yards in the prison, so that undue familiarity with the ordinary convicts may be avoided and discipline better maintained.

The Inspector General of Prisons states that Convict Warders are kept in a separate block from other prisoners. He will if approved be asked if the same arrangement obtains in respect of the other convict officials namely Convict Overseers, night watchman, and Convict ~~Officers~~ and if not, why the recommendation of the Committee cannot be given ~~gi~~ effect to in their cases also.

May be done

1-11-43

4. The Committee next propose that Convict Officers should not be made to wear fetters or anke rings, since it is necessary to maintain amongst such officers a sense of dignity and self-respect.

No action is therefore necessary
[illegible] 1-11-43

The Inspector General of Prisons observs that Convict Officers are not made to wear either fetters or ankle rings.

Our Rules exempt Convict Officers from the wearing of fetters and ankle rings (vide Rules 316, 317, 322 and 489). The recommendation of the Committee accordingly for calls for no action.

5. The Committee lastly propose that in as much as owing to the nature of their duties, they are denied the chances which other prisoners have of being employed in the work sheds and earning extra money, and remission, Convict Officers should be paid a higher rate of gratuity than at present.

Gratuity now allowed is quite ample
[illegible] 1-11-43

The Inspector General of Prison states that the gratuity now allowed under Chapter 21 of the Mysore Jail Manual is equal to the gratuity allowed in the British Indian jails and seems to be enough.

The gratuity allowed to Convict Officers in Mysore and in the neighbouring province~~s~~ of Madras is as follows:-

Convict	Mysore	Madras.	
Night watchman	0-4-0 [illegible] increase	0-2-0	p.m.
Overseer	0-8-0	0-4-0	
Warder	1-0-0	0-8-0	

Since the amount of gratuity given in Mysore is much

Prison Reforms – Recommendation No. 358.

(6)

Continuation Sheet. File No. / Current No. 3220 - P. of Page. D

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higher than in ~~Rix~~ British Indian Provinces, it seems to e quite sufficient.

MMV 28/10

Law Secy

For orders

CMS 1-11-43

OFFICE OF THE MINISTER FOR REVENUE & LAW
1 NOV 1943
No. 2634

Minister Law

KCl 2/11

Dewan

CMS 2-11-43

MMV 2/11

MMV 4/11/43

CMS 4-11-43

MMV 4/11

Draft G.O. submitted for consideration

MMV 5/11

SECY. LAW DEPT.
4393
5 1943
GOVT OF MYSORE

Law Secy

CMS 6-11-43

Issue MMV 6/11

To. The I G of prisons
No. P 3220 dated 8-11-43

passes orders re the employment of Convict officers.

B 13/11/43

3120/P Pris 20-43-3

Extract from the recommendations of the Prison Reforms Committee and the views of the Inspector General of Prisons thereon.

Recommendation No. 358.	Views of the Inspector General of Prisons.
The system of utilising the services of well conducted prisoners as warders has worked well, and should be continued under suitable restrictions and conditions. Convict Officers should, however, be used to assist and supplement, not to replace the paid staff. The employment of convict warders outside the barracks for guarding prisoners at night is open to objection and should be discontinued. Paid warders should be appointed for night patrol work. No convict officer should have independent charge of any file, gang, or other body of prisoners or should have independent power to issue orders to prisoners, but there should always be a paid officer in superior charge. Convict officials drawn from the class of casual offenders should not be employed in a jail or part of a jail reserved for habitual offenders. On the other hand, no habitual should be employed as a night watchman in any non-habitual barrack. Convict officers should have separate quarters cut off from the other yards in the prison, so that undue familiarity with the ordinary convicts may be avoided and discipline better maintained.	Convict Warders in the Central Jail at Bangalore are employed to keep watch during nights outside the barracks but within the enclosure provided by palisades, the outer enclosure being patrolled by armed sentries. This practice which is in vogue in some of the important British Indian Jails, may be continued here also. Rule 334 A of the Madras Jail Manual which lays down definite instructions in this connection may be incorporated in the Mysore Jail Manual. Convict Warders are kept in a separate block away from other prisoners.
Convict Officers should not be made to wear fetters or ankle-rings.	Convict officers are not made to wear fetters or anklerings.
Convict officers should be paid a a higher rate of gratuity than at present.	The gratuity now allowed under Chapter XXI of the Mysore Jail Manual is equal to the gratuity allowed in the British Indian Jails and seems to be enough.

Proceedings of the Government of His Highness
the Maharaja of Mysore.

Read:-

Recommendation No. 358 of the Prison Reforms Committee regarding the employment of Convict Officers and the views of the Inspector General of Prisons thereon.

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Order No. P.3220 / Pris 20-43-4

Dated, Bangalore, 8th November 1943.

The Prison Reforms Committee dealt with the employment of Convict Officers in paragraphs 81 to 88 of Chapter XIV of their report. The Committee state that the employment of Convict Warders outside the barracks for guarding prisoners at night is open to objection, and recommend that it should be discontinued and that no Convict officer should in fact be outside his barrack at night. They propose that paid Warders should be appointed for night patrol work even if this should entail the entertainment of additional staff, which may not extend to more than one paid Warder for every barrack of about 20 prisoners. The Inspector General of Prisons who was consulted in the matter states that Convict Warders in the Central Jail at Bangalore are employed to keep watch during nights outside the barracks, but within the enclosure provided by palisades, the outer enclosure being patrolled by armed sentries. He suggests that this practice which is in vogue in some of the British Indian jails may be continued here also. Government agreeing with the Inspector General of Prisons are pleased to direct the continuance of the present arrangement.

The Committee next recommend that no Convict Officer should have independent charge of any file, gang, or other body of prisoners or should have independent power to issue orders to prisoners, but that there should always be a paid officer in superior charge under whose control and orders the Convict Officer should work. The Committee further suggest that convict officials drawn from the class of casual offenders should not be employed in a jail or part of a jail reserved for habitual offenders, and that no habitual should be employed as a night watchman in any non-habitual barrack. The Inspector General of Prison observes that rule 334 A ~~A~~ of the Madras Jail Manual which lays down definite instructions on this matter may be incorporated in the Jail Manual.

Government agree with the Inspector General of Prisons and are accordingly pleased to direct that the following amendment be made in the Mysore Jail Manual:-

a) Add the following as Rule 314 B of the Jail Manual:-

"(1) The maximum number of convict officers in a jail shall in no case exceed ten percent of the daily average population thereof.

(2) No convict officer shall have independent charge of any file, gang or other body of prisoners, nor shall ~~have~~ he have independent power to issue orders to prisoners, but there shall always be a paid officer in superior charge under whose control and orders the convict officer shall work.

Provided that within the main walls of the jail a reliable convict officer may temporarily be entrusted with the charge of a gang employed on fatigue duty, or of a convalescent gang or a small gang of scavengers, of water carriers or compound sweepers.

(3) Convict officers required for employment in yards or barracks reserved for prisoners sentenced to simple imprisonment shall, as far as possible, be drawn from the ranks of simple imprisonment prisoners.

(4) Except in the case of a non-habitual prisoner, first offender of means and status who has been sentenced to imprisonment for a serious crime against person committed in a passion and who but for this lapse is a respectable member of society, and who is likely through his position of responsibility over habituals not to be contaminated, no non-habitual prisoner/first offender shall be employed as a convict officer in charge of habitual prisoners.

(5) Habitual prisoners may be employed as convict officers only in jails or part of a jail set apart for habitual prisoners, and shall not be employed as convict overseer or convict warders without the special sanction of the Inspector General of Prisons. Such Convict officers shall be eligible for the same privileges as other convict officers.

(6) Paid warders only shall be in charge of habitual prisoner gangs and workshops.

(7) Convict officers of all grades shall be exempt from liability to wear fetters."

(b) Delete the following sentencnes accordingly in rule 313:-

"The total number of convict officers in any jail shall not ordinarily exceed ten percent of the total population. Whenever the requirements of the jail are such that a larger number of convict officers is necessary, previous sanction of Government shall be taken."

The Committee finally propose that in as much as owing to the nature of their duties, they are denied the chances which other prisoners have of being employed in the work sheds and earning extra money, and remission, convict officers should be paid a higher rate of gratuity than at present. The Inspector General of Prisons states that the gratuity now allowed under chapter ~~21~~ XXI of the Mysore Jail Manual is equal to the gratuity allowed in the British Indian Jails. Government agree with the

Inspector General of Prisons and consider it ~~unnecessary to sanction a higher rate~~ not necessary to enhance the rate of gratuity ~~than at present~~.

11/6

Secretary to Government,
Law Department.

5/4

To

The Inspector General of Prisons in Mysore.